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8 Attorneys for Plaintiff, DON McCOMAS

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA--SAN FRANCISCO DIVISION  
11

12 **DON McCOMAS**, an individual,

13 Plaintiff,

14 vs.

15 **CITY OF ROHNERT PARK** and **DAVID**  
16 **RODRIGUEZ**,

17 Defendants.

Case No.: 3:16-CV-02705-TEH

*Hon. Thelton E. Henderson*

18 **Notice of Motion to Quash or Modify**  
19 **City of Rohnert Park's Subpoena to**  
20 **RPM Automotive**

21 Date: October 24, 2016

22 Time: 10:00 a.m.

23 Courtroom: 12

24 To all parties and their attorneys of record, please take notice that on October 24, 2016 at  
25 10:00 am in Courtroom 12 of the above court located at 450 Golden Gate Avenue, San  
26 Francisco, CA, 94102, Plaintiff Don McComas will move the court for an order quashing or  
27 modifying the subpoena by City of Rohnert Park to Mr. McComas' employer RPM Automotive  
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1 Services requesting Mr. McComas' entire personnel file.

2 This motion is made pursuant to FRCP 45(d)(3) on the grounds that the information  
3 sought is not relevant to Mr. McComas' civil rights action against a police officer of the City of  
4 Rohnert Park and the information sought is privileged and private based on Mr. McComas'  
5 rights of personal privacy under the California Constitution, Article 1, section 1.  
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7 This motion is based on this Notice, the Memorandum of Points and Authority, the  
8 Declaration of Daniel Beck and exhibits attached.  
9

10 Dated September 16, 2016

BECK LAW, P.C.

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12 By: /s/ Daniel B. Beck  
13 Daniel B. Beck  
14 Attorneys for Plaintiff  
15 Don McComas  
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